

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

TRACY ANTHONY MILLER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 114-143
	)	
AUGUSTA STATE MEDICAL PRISON,	)	
et al.,	)	
	)	
Defendants.	)	

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**ORDER**

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Plaintiff Tracy Anthony Miller, an inmate at Augusta State Medical Prison in Grovetown, Georgia, commenced the above-captioned case pursuant to 42 U.S.C. § 1983. On July 16, 2014, the Court directed Plaintiff to file an amended complaint within fourteen days on the standard civil rights complaint form used by incarcerated litigants in the Southern District of Georgia, and the Court provided explicit instructions on how to do so. (See doc. no. 5.) Plaintiff responded with a document filed by the Clerk on August 1, 2014, that alternately appeared to ask for an indeterminate extension of time to file an amended complaint and to request that his case be dismissed without prejudice. (See doc. no. 6.) In an abundance of caution, the Court granted Plaintiff an extension of time until August 22, 2014, to submit an amended complaint. (Doc. no. 7.) However, the Court cautioned Plaintiff that if he did not submit an amended complaint within this extended time period, the Court would presume Plaintiff desired to have this case voluntarily dismissed and would dismiss this action, without prejudice. (Id. at 2.)

Having received no response from Plaintiff in the form of an amended complaint or any other document, the Court construes his August 1st filing as a request to voluntarily dismiss his case. As no Defendant has filed an answer or other responsive pleading in this case, according to Fed. R. Civ. P. 41(a)(1)(i), Plaintiff may dismiss his case without an Order from the Court. Therefore, the Clerk is **DIRECTED** to **DISMISS** this civil action without prejudice and to terminate all pending motions.

SO ORDERED this 28th day of August, 2014, at Augusta, Georgia.

A handwritten signature in black ink, appearing to read "Brian K. Epps", is written over a horizontal line.

BRIAN K. EPPS  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA